



Attorney Docket No. 960253CIP/HG

10-28-02
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Dorothy DeFrancesco
Dorothy DeFrancesco

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

S I R :

The present application is a CIP of (i) application Serial No. 08/672,378 and (ii) application Serial No. 08/967,136.

Submitted herewith are the following:

(1) A copy of each of a Communication of a Notice of Opposition dated May 14, 2002 and a Notice of Opposition to a European Patent filed by Alcan International Limited in the European application (EP 0841406) corresponding to applicants' U.S. parent application Serial No. 08/967,136;

(2) Forms PTO/SB/08A and PTO/SB/08B. It is requested that an initialed copy of each of said Forms PTO/SB/08A and PTO/SB/08B be returned to indicate that the publications listed therein have been considered and made of record; and

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(3) Copies of the publications cited in said Forms PTO/SB/08A and PTO/SB/08B. Each of the cited publications is considered relevant or material to the patentability of the present invention in view of the citation thereof in said Notice of Opposition.

Said Notice of Opposition is in English, thereby satisfying the requirements for a concise explanation of relevance.

A copy of each of EP 719606 and EP 392998 are not provided, since copies of EP 719606 and EP 392998 were provided in applicants' INFORMATION DISCLOSURE STATEMENT filed January 24, 2000.

It is respectfully requested that the attached publications be considered and made of record.

Respectfully submitted,



RICHARD S. BARTH
REG. NO. 28,180

FRISHAUF, HOLTZ, GOODMAN & CHICK, P.C.
767 THIRD AVENUE - 25TH FLOOR
NEW YORK, NEW YORK 10017-2023
Tel. No. (212) 319-4900
Fax No. (212) 319-5101
RSB/ddf

Encs.: (1) Copy of Notice of Opposition dated May 14, 2002

(2) Copy of Notice of Opposition to a European Patent

(3) Forms PTO/SB/08A and PTO/SB/08B

(4) Publications identified therein

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Attorney Docket No. 960253CIP/HG

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Inventor : Mitsuru ADACHI et al

Patent No. : 6,769,473
Issued : August 3, 2004

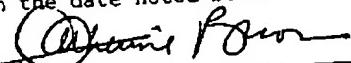
Serial No. : 09/490,983
Filed : January 24, 2000

For : METHOD AND APPARATUS FOR
SHAPING SEMISOLID METALS

2005 OCT 12 PM 3:47

CERTIFICATE OF MAILING

I hereby certify this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313 on the date noted below.



Catherine Bacon

Dated: October 7, 2005

ATTENTION: MAIL STOP 16 - REFUNDS
OFFICE OF FINANCE
ACCOUNTING DIVISION

SECOND REQUEST FOR REFUND

Director of the U.S. Patent
and Trademark Office

S I R :

Attached hereto are copies of our original REQUEST FOR REFUND, dated August 5, 2003, and our October 2002 Monthly Statement of Deposit Account 06-1378. To date, we have not received a refund nor any further communication with regard thereto.

It is respectfully requested that the Patent Office promptly credit the \$180 fee, charged in error on October 24, 2002 (Control No. 1, Fee Code 1806), for an Information Disclosure Statement. It has been three years since the Office of Finance reviewed this matter.

Respectfully submitted,



Richard S. Barth
Reg. No. 28,180

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Attorney Docket No. 960253CIP/HG

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicant(s): Mitsuru ADACHI et al.

Serial No. : 09/490,983

Filed : January 24, 2000

For : METHOD AND APPARATUS FOR
SHAPING SEMISOLID METALS

ATTENTION: OFFICE OF FINANCE
ACCOUNTING DIVISION
MAIL STOP 16 - REFUNDS

CERTIFICATE OF MAILING

I hereby certify this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Director of the US Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313 on the date noted below.

Catherine Bacon

Catherine Bacon

Dated: August 5, 2003

REQUEST FOR REFUND

Director of the U.S. Patent
and Trademark Office

S I R :

Attached hereto is a highlighted copy of our October 2002 Monthly Statement of Deposit Account 06-1378. The \$180 fee, charged on October 24, 2002 (Control No. 1, Fee Code 1806) for submission of an INFORMATION DISCLOSURE STATEMENT is respectfully submitted to be in error for the following reason.

An Information Disclosure Statement was filed on October 7, 2002 which was before the first Office Action on the merits dated June 4, 2003 (37 CFR 1.97(b)(3)). The Restriction Requirement, mailed December 4, 2001 was not an Office Action on the merits.

No fee is required for submission of an Information Disclosure Statement before the first Office Action on the merits (see 37 CFR 1.97 (b)(3)).

Therefore, it is respectfully requested that the Patent Office credit the \$180, charged in error, on October 24, 2002 to the undersigned's Deposit Account 06-1378.

Respectfully submitted,

Richard S. Barth
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Washington, D.C. 20231

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your Deposit Account, detach and return top portion with your check. Make check payable to Commissioner of Patents & Trademarks.

FRISHAUF, HOLTZ, GOODMAN LANGER & CHICK FINA
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NEW YORK NY 10017-2023

Account No.	061378
Date	10-31-02
Page	1

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Chicago, IL 60673**

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4374.96

**TOTAL CHARGES
2037.00**

**TOTAL CREDITS
5204.00**

CLOSING BALANCE
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